IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CR NO.2633 of 2007

DATE OF DECISION: 2.8.2007

Nanak Chand **...Petitioner**

VERSUS

Bhim Sain **...Respondent**

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.R.C.Chatrath, Advocate for the petitioner

Permod Kohli (Oral)

This Civil Revision is directed against the order dated 13.1.2007 passed by the Civil Judge (Jr.Division), Abohar rejecting the application of the present petitioner who is plaintiff in the suit filed before the trial court, for attachment before judgment in terms of Order 38 Rule 5 CPC. I have perused the impugned order. The plaintiff/petitioner filed a suit for recovery under Order 37 of the CPC. At the time of grant of leave to defend the suit, the trial court has imposed a condition of furnishing security in respect of the suit amount and costs etc. However, that order was set aside by this Court in Revision preferred by the defendant/respondent. In view of

the aforesaid order of the High Court and taking into consideration the other circumstances, the trial court declined the prayer for attachment. I find no infirmity in the impugned order. There is no merit in the revision petition which is accordingly dismissed.

(PERMOD KOHLI)
JUDGE

2.8.2007
MFK

NOTE:Whether to be referred to the Reporter or not:YES/NO